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December 27, 1999

VIA HAND DELIVERY

Mr. David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37201

In Re: *AT&T Communications of the South Central States, Inc.*
Tariff to Implement an Intrastate Directory Assistance Charge

Docket No. 99-00757

Dear Mr. Waddell:

Enclosed for filing are the original and thirteen copies of the Rejoinder of AT&T Communications of the South Central States, Inc. to Consumer Advocate Division's First Supplement to the Reply to the Memorandum Brief of AT&T Communications of the South Central States, Inc. Opposing the Petition for Information filed by the Consumer Advocate Division.

A copy is being served on the Consumer Advocate Division.

Yours very truly,


Val Sanford

VS/ghc
Enclosures

cc: Vance Broemel, Esq.
James P. Lamoureux, Esq.
Garry Sharp

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BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

REC'D
REGULATOR

IN RE: *AT&T Communications of the South Central States, Inc.*
Tariff to Implement an Intrastate Directory Assistance
Charge

DEC 27 1999

EXECUTIVE SECRETARY

Docket No. 99-00757

**REJOINDER OF AT&T COMMUNICATIONS OF THE SOUTH
CENTRAL STATES, INC. TO CONSUMER ADVOCATE
DIVISION'S FIRST SUPPLEMENT TO THE REPLY TO THE
MEMORANDUM BRIEF OF AT&T COMMUNICATIONS OF THE
SOUTH CENTRAL STATES, INC. OPPOSING THE PETITION
FOR INFORMATION FILED BY THE CONSUMER ADVOCATE
DIVISION**

AT&T Communications of the South Central States, Inc. ("AT&T") files this Rejoinder to the Consumer Advocate Division's ("CAD") "First Supplement to the Reply to the Memorandum Brief of AT&T Communications of the South Central States, Inc. Opposing the Petition for Information Filed by the Consumer Advocate Division" to show that the FCC's Notice which is the basis of the CAD's "First Supplement" is not material or relevant in any way to this proceeding, and in support of its Rejoinder, AT&T states that:

1. This proceeding involves the Petition for Information filed by the CAD pursuant to T.C.A. §65-4-118 with respect to AT&T's tariff filing made pursuant to Rule 1220-4-2-.55(2). The FCC proceeding did not involve anything like a Petition for Information filed by an agency such as the CAD under a statute such as T.C.A. §65-4-118; or anything like a tariff filing pursuant to a rule such as Rule 1220-4-2-.55(2).

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2. The FCC proceeding involved an application by AT&T for the discontinuance of a national toll free directory assistance service for 800 numbers.¹ Applications for discontinuance of a service are governed by 47 U.S.C. §214, requiring a certificate from the FCC that neither the present nor future public convenience and necessity will be adversely affected thereby.² No such requirement is imposed for the approval of an IXC tariff under Rule 1220-4-2-.55(2).

3. The FCC rules, 47 C.F.R. §63.71, require notice of such applications or discontinuance to be given to affected customers, which notice must include, among other things, a statement that the FCC will usually authorize a proposed discontinuance unless it is shown that customers will be unable to receive service or a reasonable substitute service from another carrier. No such standard is imposed under Rule 1220-4-2-.55(2) with respect to approval of IXC tariffs. Even if there was such a standard, there can be no question but that ample directory assistance service is provided by BellSouth, by numerous other carriers, and by others.

4. Numerous comments were filed with the FCC objecting to AT&T's discontinuance of the service, arguing that there may be no reasonably substitutable service and that the public convenience and necessity may be adversely affected. The FCC, then, pursuant to its rules, issued a Notice that AT&T's Application for Discontinuance would not be automatically granted (copy attached). No such comments or other objections have been filed as to AT&T's tariff. Even the CAD has not filed any

¹ The TRA was notified of the filing of the application by letter from Garry Sharp dated November 11, 1999 (copy attached).

² Under the statute no such certificate is required if the discontinuance will not impair the adequacy of quality of service provided.

such an objection. The CAD's complaint is based solely on the adequacy of the published Notice. The CAD well knows that other comparable directory assistance services exist at varying prices.

5. The FCC proceedings concerning the discontinuance of AT&T's 800 directory assistance service are not relevant or material in any way to the CAD's Petition for Information. The CAD's "First Supplement" further demonstrates the CAD's efforts to needlessly complicate this proceeding by raising irrelevant and immaterial matters to further its harassment of AT&T. Here the law is clear. AT&T's tariff complies with the governing IXC rules. The facts are equally clear. There is ample competition in directory assistance services, ranging from BellSouth's free service to the services of numerous other carriers at varying prices.

The CAD's Petition for Information should be denied. AT&T's tariff should be approved.



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Attorneys for AT&T Communications of the
South Central States, Inc.

CERTIFICATE OF SERVICE

I, Val Sanford, hereby certify that a copy of the foregoing Rejoinder AT&T Communications of the South Central States, Inc. to the Consumer Advocate Division's First Amendment to its Complaint was served on the following via Hand-Delivery, this 27th day of December, 1999.



Val Sanford

Vance L. Broemel
Assistant Attorney General
Consumer Advocate Division
425 5th Avenue, North
Nashville, TN 37243



Garry L. Sharp
Director Government Affairs

Suite 1830
414 Union Street
Nashville, TN 37219
615 259-2830
FAX 615 242 6856
EMAIL glsharp@att.com

November 11, 1999

David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37238

Dear Mr. Waddell:

Pursuant to 47 CFR 63.71 of the Federal Communications Commission ("FCC") rules, this is to notify you that AT&T is applying to the FCC to discontinue AT&T Toll-Free Directory Assistance Service ("TFDA"), effective as of March 31, 2000. Attached is a copy of AT&T's Section 214 Application for Service Discontinuance before the FCC for this service. As shown in the application (and included herein), notice has been provided to affected customers regarding the discontinuance.

Should you have any questions, please call me at 259-2830.

Sincerely,

A handwritten signature in cursive script that reads "Garry Sharp".
Garry Sharp

Enclosures



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PUBLIC NOTICE
FEDERAL COMMUNICATIONS COMMISSION
445 12th Street, SW
WASHINGTON, DC 20554

News Media Information (202) 418-0500

Fax-On-Demand 202/418-2830

Internet <http://www.fcc.gov>

DA 99-2769

December 10, 1999

AT&T COMMUNICATIONS SECTION 214 APPLICATION TO
DISCONTINUE TOLL FREE DIRECTORY ASSISTANCE
SERVICE, 1-800-555-1212, NOT AUTOMATICALLY GRANTED

NSD File No. W-P-D-443

On November 12, 1999, AT&T Communications ("AT&T") filed an application requesting authority under section 214(a) of the Communications Act of 1934, 47 U.S.C. § 214(a), and section 63.71 of the Federal Communications Commission's rules, 47 C.F.R. § 63.71, to discontinue providing AT&T Toll-Free Directory Assistance Service, which is called by dialing 1-800-555-1212. The date of the planned discontinuance is March 31, 2000.

Public Notice of the application was released on November 16, 1999. In accordance with 47 C.F.R. Section 63.71(c), such applications are automatically granted on the 31st day after the release date of the public notice, without any Commission action, unless the Commission has notified the applicant that the grant will not be effective automatically. The Commission normally authorizes proposed discontinuances of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity otherwise is adversely affected.

AT&T's application states there are available substitutes to toll free directory assistance with which its customers (Responsible Organizations, or RespOrgs) may list toll-free service numbers, including internet-based directories such as AT&T's AnyWho, bill inserts, product packaging, and caller-paid local and national directory assistance services such as 411. AT&T also states that it intends to begin providing AT&T listings to alternative directory services that request them, and that it will consider offering a database administration service to collect and update other RespOrg toll-free listing information into a centralized database if there is a sufficient level demand for the service.

Numerous comments objecting to this application have been received. The comments argue that there may be no reasonably substitutable service and that the public convenience and necessity may be adversely affected. Commenting parties object, for example, that not all customers have or can afford access to the internet, that additional fees will be implemented for this service, elderly and disabled people depend on the service, that many AT&T employees (some filing comments as members of Communications Workers of America) will be harmed, and that small businesses will incur economic hardship.

Accordingly, based on these comments, by this Public Notice, AT&T is notified that its application to discontinue Toll Free Directory Assistance Service, 1-800-555-1212, will not be granted automatically but will be acted upon based on its merits, following further examination both the comments received and any responsive comments that AT&T files.

For further information, contact Marty Schwimmer, (202) 418-2320 (voice), mschwimm@fcc.gov, McCloud, (202) 418-2499 (voice), amcccloud@fcc.gov at the Network Services Division, Common Carrier Bureau. The TTY number is (202) 418-0484.

-FEDERAL COMMUNICATIONS COMMISSION-